

Explanation.—The entries in the second column of Schedule XIII headed “subject” are not intended as definitions of the offences described in the sections, sub-sections, clauses or rules mentioned in the first column or even as abstracts of those sections, sub-sections, clauses or rules, but are inserted merely as reference to the subject of the sections, sub-sections, clauses or rules, as the case may be.

442. Penalties for voting as councillor, acting a mayor, deputy mayor when not entitled and for failure to hand over documents.—(1) If a councillor votes in contravention of section 87 or if any person acts as a councillor knowing that under this Act or the rules made thereunder he is not entitled or has ceased to be entitled to hold such office, he shall on conviction be punished with fine not exceeding two hundred rupees for every such offence.

(2) If any person acts as or exercises the functions of the mayor or deputy mayor knowing that under this Act or the rules made thereunder he is not entitled or has ceased to be entitled to hold such office or to exercise such functions, he shall on conviction be punished with fine not exceeding one thousand rupees for every such offence.

(3) If the mayor or deputy mayor fails to hand over any documents of, or any money or other properties vested in or belonging to, the corporation, which are in or have come into, his possession or control, to his successor in office or other prescribed authority, in every case as soon as his term of office as mayor or deputy mayor expires and in the case of the deputy mayor also on demand by the mayor, such mayor or deputy mayor shall, on conviction, be punished with fine not exceeding one thousand rupees for every such offence.

443. Penalty for acquisition by any councillor, the commissioner or any corporation officer of interest in contract or work.—If any councillor, the commissioner or any corporation officer or servant knowingly acquires, directly or indirectly by himself or in the name of any member of his family or by a partner or employee or servant any

personal share or interest in any contract or employment with by, or on behalf of the corporation, he shall be deemed to have committed the offence punishable under section 168 of the Indian Penal Code 1860.

Provided that no person shall, by reason of being a shareholder in or member of a company be held to be interested in any contract between such company and the corporation unless he is a director of such company.

444...Penalty for omission to take out licence for vehicle or animal.—(1) Every owner or person in charge of any vehicle or animal liable to tax under section 128 who fails to obtain, within fifteen days of the service of a bill on him, a licence under section 132 shall, on conviction be punished with fine not exceeding fifty rupees and shall also pay the amount of the tax payable by him in respect of such vehicle or animal.

(2) On payment of such fine and tax and of such costs as may be awarded, such owner or person shall receive a licence for the vehicle or animal in respect of which he has been fined and for the period during which he has been found to be in default.

(3) The provisions of this section shall apply to any person who, having compounded for the payment of a certain sum under section 130 fails to pay such sum and the amount due for a licence shall in such case be taken as the amount so compounded for.

445. Penalty for wilfully preventing distraint.—Any person who wilfully prevents distraint or sufficient distraint of property subject to distraint for any tax due from him, shall on conviction by a magistrate be liable to a fine not exceeding twice the amount of the tax, found to be due.

446. Penalty for unlawful building.—(a) If the construction or reconstruction of any building or well—

(i) is commenced without the permission of the commissioner, or